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14 **UNITED STATES DISTRICT COURT**

15 **NORTHERN DISTRICT OF CALIFORNIA**

16 **SAN FRANCISCO DIVISION**

17 MAXIMILIAN KLEIN, et al., on behalf of
18 themselves and all others similarly situated,

19 Plaintiffs,

20 v.

21 META PLATFORMS, INC.,

22 Defendant.

23 Case No. 20-cv-08570-JD

24 The Hon. James Donato

25 **DECLARATION OF BRIAN J. DUNNE IN
26 SUPPORT OF ADVERTISER
27 PLAINTIFFS' ADMINISTRATIVE
28 MOTION TO CONSIDER WHETHER
29 ANOTHER PARTY'S MATERIAL
30 SHOULD BE SEALED**

1 I, Brian J. Dunne, declare and state as follows:

2 1. I am an attorney licensed in the State of California and admitted to the United States
3 District Court for the Northern District of California. I am an attorney at Bathaee Dunne LLP, Interim
4 Co-Lead Counsel for the Advertiser Plaintiffs in the above-captioned matter. I have personal knowledge
5 of the facts set forth herein and, if called as a witness, could and would testify competently to them.

6 2. This declaration is made in support of Advertiser Plaintiffs' Administrative Motion to
7 Consider Whether Another Party's Material Should Be Sealed, filed in connection with the concurrently
8 filed First Amended Consolidated Advertiser Class Action Complaint ("FAC").

9 3. Certain documents and information referenced in the FAC have been designated by
10 Defendant Meta Platforms, Inc., as "Confidential" or "Highly Confidential" under the Stipulated
11 Protective Order (Dkt. No. 111).

12 4. Portions of the FAC referencing or reflecting the contents of the documents and
13 information designated by Meta Platforms as "Confidential" or "Highly Confidential" have been
14 redacted from the publicly filed version of the FAC. *See Civil L.R. 79-5(e)(1).*

15 5. An unredacted version of the FAC with these references highlighted is filed herewith.
16 *See Civil L.R. 79-5(e)(2), (f)(1).*

17 6. Per Judge Koh's order of January 14, 2022, also filed herewith is an unredacted redlined
18 complaint comparing the FAC to the previously operative Consolidated Advertiser Class Action
19 Complaint. *See Dkt. No. 214 at 107.*

20 7. Advertiser Plaintiffs' request is limited to documents and information produced by Meta
21 Platforms marked Confidential or Highly Confidential, or information directly reflecting documents
22 and information produced by Meta Platforms marked Confidential or Highly Confidential. This request
23 is thus narrowly tailored to seek sealing only of potentially sealable material.

24 I declare under penalty of perjury that the foregoing is true and correct.

25 Executed on February 28, 2022, in Pasadena, California.

26 s/ Brian J. Dunne
27 Brian J. Dunne